

ORDINANCE NO. CO09.19.12.12.E2

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AMENDING THE CEDAR PARK CODE OF ORDINANCES, CHAPTER 11 ZONING RELATED TO RESIDENTIAL ACCESSORY BUILDING COVERAGE AND AMENDING ARTICLE 11.04 ACCESSORY USE, BUILDING, AND STRUCTURE STANDARDS, DIVISION 1. PURPOSE, APPLICABILITY, AND GENERAL PROVISIONS, SECTION 11.04.002 (B) RESIDENTIAL ACCESSORY BUILDING COVERAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Cedar Park ("City Council") desires to update and clarify the regulations related to the square footage allowances for residential accessory building coverage; and

WHEREAS, the proposed amendment, supporting the 2018-2020 Strategic Goal of Distinctly Cedar Park with the opportunities to create unique and distinctive developments; and

WHEREAS, City Staff has determined that the proposed amendments provide additional opportunities to address issues related to land use compatibility, and ratios of backyard allowance for accessory buildings; and

WHEREAS, City Staff has determined that the proposed amendments provide consistency with regulations established in the Texas Local Government Code and other Chapters within the City's Code of Ordinances; and

WHEREAS, the City posted proper notice and conducted public hearings in accordance with Texas Local Government Code Chapter 211; and

WHEREAS, Texas Local Government Code Chapter 211 authorizes the City to regulate the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes; and

WHEREAS, the Cedar Park City Charter Section 2.04 authorizes the Council to zone the City and to pass all necessary ordinances, rules and regulations governing the same under and by virtue of the authority vested in the cities by State statutes; and

WHEREAS, on November 19, 2019 the Planning and Zoning Commission voted 6-0 to recommend approval of the proposed amendments to Chapter 11 Zoning; and

WHEREAS, the City Council finds that the proposed amendments to Chapter 11 Zoning are in the best interest of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. That Chapter 11 Zoning the Cedar Park Code of Ordinances be amended as provided in the attached Exhibit A.

SECTION 2. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

SECTION 5. This Ordinance shall be and remain in full force and effect from and after the date of approval.

READ AND CONSIDERED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 5th day of December, 2019 at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Cedar Park at a regular meeting on the 12th day of December 2019, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

CITY OF CEDAR PARK, TEXAS



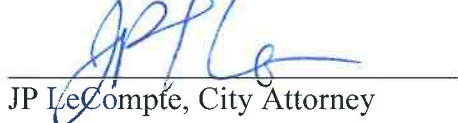
Mel Kirkland, Mayor Pro Tem

ATTEST:



LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:



JP LeCompte, City Attorney

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EXHIBIT A

Only the changes shown below in red will be modified with this ordinance amendment.

ARTICLE 11.04 ACCESSORY USE, BUILDING, AND STRUCTURE STANDARDS

Division 1. Purpose, Applicability, and General Provisions

Sec. 11.04.002 General provision

B. Residential Accessory building coverage.

1. The sum of all accessory uses (including home occupations) in a principal building shall not exceed 25 percent of the total gross floor area of the principal building.
2. The total of all accessory buildings cannot exceed 20 percent coverage of the back yard of a single family residence, ~~not to exceed 2,000 square feet~~ and each accessory building shall not to exceed the size of the principal building.
3. For any lot of five (5) acres or greater, the total square footage of accessory buildings shall not exceed 4,000 square feet, with the exception of a private airplane hangar as provided in this Article.
4. For property of any size located within 1,000 feet of an airport landing strip, a private airplane hangar for the sole purpose of airplane storage is permitted; however, the airplane hangar shall only for the owner or lessee of the principal building.